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Attorney Docket No. 52186

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: TURNER ET AL.

Application No. 09/705,395

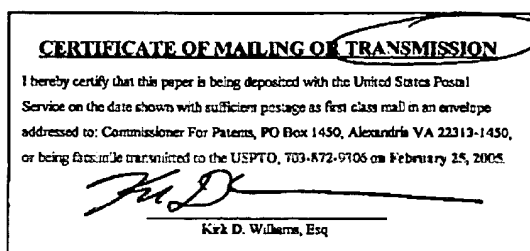
Confirmation No. 3173

Filed: 11-02-2000

Group Art Unit: 2666

Examiner: Jagannathan, Melanie

For: METHOD AND APPARATUS FOR PACING
THE FLOW OF INFORMATION SENT FROM
A DEVICE



INFORMATION DISCLOSURE STATEMENT - C

Commissioner for Patents
Alexandria, VA 22313-1450

Pursuant to 37 C.F.R. §§ 1.97 and 1.98, the references listed on the enclosed Form PTO-1449 are submitted for consideration by the Examiner in the examination of the above-identified patent application. The full consideration of the references in their entirety by the Examiner is respectfully requested and encouraged. Also, it is respectfully requested that the references be entered into the record of the present application and that the Examiner place his or her initials in the appropriate area on the enclosed Form PTO-1449, thereby indicating the Examiner's consideration of each of the references.

A bona fide attempt is made to comply with §§ 1.97-98. The filing of this information disclosure statement should not be construed as a representation that a search has been made, nor is it to be construed to be an admission that the information cited in the statement is, or is considered to be, material to patentability as defined in § 1.56(b). Additionally, the submission of this IDS is for the purpose of providing a complete record and is not a concession that the references are prior art to the invention claimed in the patent application. The right is expressly reserved to establish an invention date earlier than the above-identified filing date in order to remove any reference submitted herewith as prior art should it be deemed appropriate to do so. Furthermore, the submission of the references is not to be taken as a concession that any reference represents art that is relevant or analogous to the claimed invention. Accordingly, the right to argue that any

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reference is not properly within the scope of prior art relevant to an examination of the claims in the above-identified application is also expressly reserved.

The Information Disclosure Statement is being filed:

- ☐ Under § 1.97(b): (1) within three months of the filing date of a national application other than a continued prosecution application under § 1.53(d); (2) within three months of the date of entry of the national stage as set forth in § 1.491 in an international application; (3) before the mailing of a first Office action on the merits; or (4) before the mailing of a first Office action after the filing of a request for continued examination under § 1.114.
- ☒ Under § 1.97(c): after (1), (2), or (3) above (i.e., after paragraph (b)) and before the mailing date of any of a final action under § 1.113, a notice of allowance under § 1.311, or an action that otherwise closes prosecution in the application, and is accompanied by:
- ☐ the statement specified in 37 C.F.R. § 1.97(e):
- ☐ Each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement; or
- ☐ That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement.
- ☒ the fee set forth in 37 C.F.R. § 1.17(p) (see "Fees" below).
- ☐ Under § 1.97(d): after the period specified in § 1.97(c) and before payment of the issue fee, and is accompanied by:
- ☐ the statement specified in 37 C.F.R. § 1.97(e):
- ☐ Each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement; or
- ☐ That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement.

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☐ the fee set forth in 37 C.F.R. § 1.17(p) (see "Fees" below).

Copies Of The References

- ☐ Enclosed herewith are copies of the references listed on the enclosed Form PTO-1449. A concise explanation of the relevance, as it is presently understood by the individual designated in § 1.56(c) most knowledgeable about the content of the information, of each patent, publication, or other information listed that is not in the English language is included either separate from applicant's specification or incorporated therein. Furthermore, a copy of the translation of a non-English language reference is included herewith if a written English-language translation of a non-English-language document, or portion thereof, is within the possession, custody, or control of, or is readily available to any individual designated in § 1.56(c).
- ☐ A copy of a foreign search report is enclosed herewith.
- ☒ A copies of one or more cited pending US Applications are not provided as the application(s) are in the Image File Wrapper (IFW) system. As such, copies are not required per *Waiver of the Copy Requirement in 37 CFR 1.98 for Cited Pending US Patent Application*, 1287 Off. Gaz. Pt. Office 163 (October 19, 2004).
- ☐ Per 37 C.F.R. § 1.98(d), copies of the references listed on the enclosed Form PTO-1449 are not provided as they were previously submitted to, or cited by, the Office in an earlier application, and (1) the earlier application is properly identified in the information disclosure statement and is relied on for an earlier effective filing date under 35 U.S.C. 120; and (2) the information disclosure statement submitted in the earlier application complies with paragraphs (a) through (c) of this 37 C.F.R. § 198. The details of the parent application(s) relied upon for an earlier filing date under 35 U.S.C. § 120 in which copies of the references were previously furnished are set out below:

U.S. APPLICATIONS		Status (<i>check one</i>)		
U.S. APPLICATIONS	U.S. FILING DATE	PATENTED	PENDING	ABANDONED
1.				
2.				
3.				

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Application No. 09/705,395

Fees

☐

No fee is owed by the applicant(s).

☒

The IDS Fee of \$180.00 was already paid today with the submission of an electronic Information Disclosure Statement (eIDS) Filed today with ePAVE, so NO additional fee is believed due. A copy of the eIDS fee transmittal is included herewith.

☐

The IDS Fee of \$180.00 is due. (Fee code 126.)

☐

Please charge my credit card for the fees due (form PTO-2038 included herewith).

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Charge Deposit Account No. 501430 in the amount of \$180.

Authorization To Charge Additional Fees and Credit any Overpayment

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If any additional fees are owed in connection with this communication, please charge Deposit Account No. 501430.

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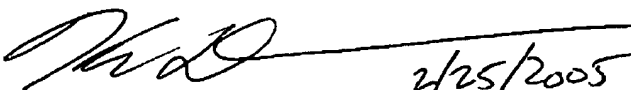
Credit Account No. 501430 for any overpayment in connection with this communication.

Date: February 25, 2005

Respectfully submitted,

The Law Office of Kirk D. Williams

By

 2/25/2005

Kirk D. Williams, Esq., Reg. 42,229

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Fee transmittal

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FEE TRANSMITTAL

Electronic Version v10

Stylesheet Version v10

Title of
InventionMETHOD AND APPARATUS FOR PACING THE FLOW OF
INFORMATION SENT FROM A DEVICE

Application Number: 09/705395 *09/705395*
Date: 2000-11-02
First Named Applicant: Jonathan S. Turner
Attorney Docket Number: 52186
Art Unit: 2666
Examiner: Melanie Jagannathan

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TOTAL FEE AUTHORIZED \$180

Patent fees are subject to annual revisions on or about October 1st of each year.

Fee Description	Fee Code	Amount \$	Fee Paid \$
Submission Of Information Disclosure Stmt Fee	1806	180	180

AUTHORIZED BILLING INFORMATION

The commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Credit account number: 4699
Expiration Date (YYYYMMDD): 2007-01-31
Authorized name: Kirk D Williams
Billing address: 80210

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FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE MODIFIED PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE STATEMENT BY APPLICANT				Application Number	09/705,395
				Filing Date	November 02, 2000
				First Named Inventor	Jonathan Turner
				Group Art Unit	2666
				Examiner Name	Melanie Jagannathan
Sheet	1	of	1	Attorney Docket No.	52186

PENDING U.S. PATENT APPLICATIONS				
EXAMINER'S INITIALS	Cite No.	Application Number	Filing Date (MM-DD-YYY)	Name of Applicant
	AA	09/705,450	11-02-2000	Turner et al.
	AB	09/784,787	02-15-2001	Turner et al.
	AC	09/519,282	03-07-2000	Lenoski et al.
	AD	09/949,125	09-07-2001	Dejanovic et al.

Examiner Signature		Date Considered	
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